

Senate Study Bill 1083 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

A BILL FOR

1 An Act relating to matters under the purview of the department
2 of transportation, including provisions relating to the
3 regulation of motor vehicles and motor vehicle operations
4 and provisions relating to the coordination of public
5 transit funding programs, and making penalties applicable.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
MOTOR VEHICLE

Section 1. Section 307.27, subsection 8, Code 2011, is amended to read as follows:

8. Administer the registration of interstate authority of motor carriers pursuant to chapter 327B as provided in 49 U.S.C. § ~~14504~~ 14504a and United States department of transportation regulations.

Sec. 2. Section 321.1, subsection 15, Code 2011, is amended to read as follows:

15. "*Conviction*" means a final conviction, including but not limited to a plea of guilty or nolo contendere accepted by the court; a final administrative ruling or determination~~;~~ or an unvacated forfeiture of bail or collateral deposited to secure a person's appearance in court.

Sec. 3. Section 321.174, subsection 2, Code 2011, is amended to read as follows:

2. a. A person operating a commercial motor vehicle shall not have more than one driver's license. A nonresident may operate a commercial motor vehicle in Iowa if the nonresident has been issued a license by another state, a nonresident commercial driver's license, or a driver's license issued by a foreign jurisdiction which the federal highway administration has determined to be issued in conformity with the federal commercial driver testing and licensing standards, if the license, commercial driver's license, or driver's license is valid for the vehicle operated.

b. A person who operates a commercial motor vehicle upon the highways of this state without having been issued a driver's license valid for the vehicle operated commits a simple misdemeanor.

c. A person who operates a commercial motor vehicle upon the highways of this state after the person's commercial driver's license has been downgraded to a noncommercial status pursuant to section 321.210E commits a simple misdemeanor.

1 Sec. 4. Section 321.178, subsection 2, Code 2011, is amended
2 to read as follows:

3 2. *Restricted license.*

4 a. (1) A person between sixteen and eighteen years of age
5 who has completed an approved driver's education course and is
6 not in attendance at school and has not met the requirements
7 described in section 299.2, subsection 1, may be issued a
8 restricted license only for travel to and from work or to
9 transport dependents to and from temporary care facilities,
10 if necessary for the person to maintain the person's present
11 employment. The restricted license shall be issued by the
12 department only upon confirmation of the person's employment
13 and need for a restricted license to travel to and from work or
14 to transport dependents to and from temporary care facilities
15 if necessary to maintain the person's employment. The employer
16 shall notify the department if the employment of the person is
17 terminated before the person attains the age of eighteen.

18 (2) (a) A person issued a restricted license under this
19 section shall not use an electronic communication device or an
20 electronic entertainment device while driving a motor vehicle
21 unless the motor vehicle is at a complete stop off the traveled
22 portion of the roadway. This subparagraph division does not
23 apply to the use of electronic equipment which is permanently
24 installed in the motor vehicle or to a portable device which is
25 operated through permanently installed equipment. ~~A violation~~
26 ~~of this subparagraph division shall not be considered a moving~~
27 ~~violation except for purposes of section 321.193.~~

28 (b) For the period beginning July 1, 2010, through June
29 30, 2011, peace officers shall issue only warning citations
30 for violations of subparagraph division (a). The department,
31 in cooperation with the department of public safety, shall
32 establish educational programs to foster compliance with the
33 requirements of subparagraph division (a).

34 b. The department may suspend a restricted driver's license
35 issued under this section upon receiving satisfactory evidence

1 that the licensee has violated the restrictions imposed under
2 paragraph "a", subparagraph (2), subparagraph division (a).
3 The department may also suspend a restricted license issued
4 under this section upon receiving a record of the person's
5 conviction for one violation and shall revoke the license upon
6 receiving a record of conviction for two or more violations
7 of a law of this state or a city ordinance regulating the
8 operation of motor vehicles on highways, other than parking
9 violations as defined in section 321.210. After revoking a
10 license under this section the department shall not grant an
11 application for a new license or permit until the expiration
12 of one year or until the person attains the age of eighteen
13 whichever is the longer period.

14 c. A person who violates the restrictions imposed under
15 paragraph "a", subparagraph (2), subparagraph division (a),
16 shall be issued a citation under this section and shall not be
17 issued a citation under section 321.193. A violation of the
18 restrictions imposed under paragraph "a", subparagraph (2),
19 subparagraph division (a), shall not be considered a moving
20 violation.

21 Sec. 5. Section 321.180B, subsection 3, Code 2011, is
22 amended to read as follows:

23 3. *Remedial driver improvement action — suspension of*
24 *permit, intermediate license, or full license.*

25 a. A person who has been issued an instruction permit,
26 an intermediate license, or a full driver's license under
27 this section, upon conviction of a moving traffic violation
28 or involvement in a motor vehicle accident which occurred
29 during the term of the instruction permit or intermediate
30 license, shall be subject to remedial driver improvement action
31 or suspension of the permit or current license. A person
32 possessing an instruction permit who has been convicted of a
33 moving traffic violation or has been involved in an accident
34 shall not be issued an intermediate license until the person
35 has completed the remedial driver improvement action and

1 has been accident and violation free continuously for the
2 six-month period immediately preceding the application for the
3 intermediate license. A person possessing an intermediate
4 license who has been convicted of a moving traffic violation
5 or has been involved in an accident shall not be issued a full
6 driver's license until the person has completed the remedial
7 driver improvement action and has been accident and violation
8 free continuously for the twelve-month period immediately
9 preceding the application for a full driver's license.

10 b. The department may suspend an instruction permit,
11 intermediate license, or full license issued under this section
12 upon receiving satisfactory evidence that the person issued
13 the instruction permit, intermediate license, or full license
14 violated the restrictions imposed under subsection 1, 2, or
15 6 during the term of the instruction permit or intermediate
16 license.

17 Sec. 6. Section 321.180B, subsection 6, paragraph a, Code
18 2011, is amended to read as follows:

19 a. A person issued an instruction permit or intermediate
20 driver's license under this section shall not use an electronic
21 communication device or an electronic entertainment device
22 while driving a motor vehicle unless the motor vehicle is at a
23 complete stop off the traveled portion of the roadway. This
24 paragraph does not apply to the use of electronic equipment
25 which is permanently installed in the motor vehicle or to
26 a portable device which is operated through permanently
27 installed equipment. ~~A violation of this paragraph shall not~~
28 ~~be considered a moving violation except for purposes of section~~
29 ~~321.193.~~

30 Sec. 7. Section 321.180B, Code 2011, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. 6A. Citations for violation of
33 restrictions. A person who violates the restrictions imposed
34 under subsection 1, 2, or 6 shall be issued a citation
35 under this section and shall not be issued a citation under

1 section 321.193. A violation of the restrictions imposed
2 under subsection 1, 2, or 6 shall not be considered a moving
3 violation.

4 Sec. 8. Section 321.186A, subsection 1, Code 2011, is
5 amended to read as follows:

6 1. An applicant for a new or renewed driver's license ~~other~~
7 ~~than a commercial driver's license~~ need not take a vision test
8 administered by the department if the applicant files with
9 the department a vision report signed by a licensed vision
10 specialist in accordance with this section.

11 Sec. 9. Section 321.188, subsection 1, paragraph c, Code
12 2011, is amended to read as follows:

13 c. Successfully pass knowledge tests and driving skills
14 tests ~~which the department shall require by rule, provide~~
15 self-certification of type of driving, and provide a medical
16 examiner's certificate prepared by a medical examiner, as
17 defined in 49 C.F.R. § 390.5, as required by rule by the
18 department. The rules adopted shall substantially comply
19 with the federal minimum testing and licensing requirements
20 in 49 C.F.R. part 383, subparts E, G, and H, as adopted by
21 rule by the department. Except as required under 49 C.F.R.
22 part 383, subpart E, G, or H, a commercial driver's license is
23 renewable without a driving skills test within one year after
24 its expiration date.

25 Sec. 10. Section 321.188, subsection 4, Code 2011, is
26 amended to read as follows:

27 4. The department shall check the applicant's driving
28 record as maintained by the applicant's current licensing
29 state, the national commercial driver's license information
30 system, and the national driver register to determine whether
31 the applicant qualifies to be issued a commercial driver's
32 license. The department shall notify the national commercial
33 driver's license information system of the issuance, renewal,
34 or upgrade of a commercial driver's license and shall post the
35 driver's self-certification of type of driving as required by

1 rule. The department shall also post information from the
2 medical examiner's certificate required under subsection 1,
3 paragraph "c", to the national commercial driver's license
4 information system, if required by rule.

5 Sec. 11. Section 321.194, subsection 1, paragraph c,
6 subparagraph (1), Code 2011, is amended to read as follows:

7 (1) A person issued a driver's license under this section
8 shall not use an electronic communication device or an
9 electronic entertainment device while driving a motor vehicle
10 unless the motor vehicle is at a complete stop off the traveled
11 portion of the roadway. This subparagraph does not apply to
12 the use of electronic equipment which is permanently installed
13 in the motor vehicle or to a portable device which is operated
14 through permanently installed equipment. ~~A violation of this~~
15 ~~subparagraph shall not be considered a moving violation except~~
16 ~~for purposes of section 321.193.~~

17 Sec. 12. Section 321.194, Code 2011, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 3. Citations for violation of
20 restrictions. A person who violates the restrictions imposed
21 under subsection 1, paragraph "a" or "c", shall be issued a
22 citation under this section and shall not be issued a citation
23 under section 321.193. A violation of the restrictions
24 imposed under subsection 1, paragraph "a" or "c", shall not be
25 considered a moving violation.

26 Sec. 13. NEW SECTION. 321.207 Downgrade of commercial
27 driver's license.

28 The department shall adopt rules for downgrading a
29 commercial driver's license to a noncommercial status upon a
30 driver's failure to provide a medical examiner's certificate as
31 required pursuant to section 321.188, subsection 1, paragraph
32 "c", or upon a driver's failure to provide a self-certification
33 of type of driving as required pursuant to section 321.188,
34 subsection 1, paragraph "c". The rules shall substantially
35 comply with 49 C.F.R. § 383.71 and 383.73, as adopted by rule

1 by the department.

2 Sec. 14. Section 321.376, Code 2011, is amended by adding
3 the following new subsection:

4 NEW SUBSECTION. 3. As used in this section and section
5 321.375, "*driver of a school bus*" or "*school bus driver*" does not
6 include a mechanic, delivery driver, or other person operating
7 an empty school bus for purposes other than the transportation
8 of passengers. Such persons must still hold a commercial
9 driver's license valid for the operation of a vehicle of the
10 size and type operated, including a passenger endorsement, but
11 are not required to hold a driver's license with a school bus
12 endorsement.

13 Sec. 15. Section 321A.5, subsection 1, Code 2011, is amended
14 to read as follows:

15 1. The department shall, immediately or within sixty days
16 after the receipt of a report of a motor vehicle accident
17 within this state which has resulted in bodily injury or death
18 or damage to the property of any one person in the amount of one
19 thousand five hundred dollars or more, suspend the license of
20 each operator and all registrations of each owner of a motor
21 vehicle in any manner involved in the accident, and if the
22 operator is a nonresident the privilege of operating a motor
23 vehicle within this state, and if the owner is a nonresident
24 the privilege of the use within this state of any motor vehicle
25 owned by the owner, unless the operator or owner or both
26 shall deposit security in a sum which shall be sufficient in
27 the judgment of the department to satisfy any judgment or
28 judgments for damages resulting from the accident as may be
29 recovered against the operator or owner; provided notice of the
30 suspension shall be sent by the department to the operator and
31 owner not less than ten days prior to the effective date of the
32 suspension and shall state the amount required as security.

33 Sec. 16. Section 321A.17, subsection 4, Code 2011, is
34 amended to read as follows:

35 4. An individual applying for a driver's license following a

1 period of suspension or revocation pursuant to a dispositional
2 order issued under section 232.52, subsection 2, paragraph
3 "a", or under section 321.180B, section 321.210, subsection
4 1, paragraph "a", subparagraph (4), or section 321.210A,
5 321.213A, 321.213B, 321.216B, or 321.513, following a period
6 of suspension under section 321.178 or 321.194, or following
7 a period of revocation pursuant to a court order issued under
8 section 901.5, subsection 10, or under section 321J.2A, is not
9 required to maintain proof of financial responsibility under
10 this section.

11 Sec. 17. Section 321G.10, Code 2011, is amended to read as
12 follows:

13 **321G.10 Accident reports.**

14 If a snowmobile is involved in an accident resulting in
15 injury or death to anyone or property damage amounting to one
16 thousand five hundred dollars or more, either the operator or
17 someone acting for the operator shall immediately notify the
18 county sheriff or another law enforcement agency in the state.
19 If the accident occurred on public land or ice under the
20 jurisdiction of the commission, the operator shall file with
21 the commission a report of the accident, within seventy-two
22 hours, containing information as the commission may require.
23 ~~For all All other accidents resulting in injury or death or~~
24 ~~property damage amounting to one thousand dollars or more, the~~
25 ~~operator shall forward a written report to the department of~~
26 ~~transportation within seventy-two hours, unless the accident is~~
27 ~~investigated by a law enforcement agency as provided in shall~~
28 ~~be reported as required under section 321.266.~~

29 Sec. 18. Section 321I.11, Code 2011, is amended to read as
30 follows:

31 **321I.11 Accident reports.**

32 If an all-terrain vehicle is involved in an accident
33 resulting in injury or death to anyone or property damage
34 amounting to one thousand five hundred dollars or more,
35 either the operator or someone acting for the operator

1 shall immediately notify the county sheriff or another law
2 enforcement agency in the state. If the accident occurred on
3 public land or ice under the jurisdiction of the commission,
4 the operator shall file with the commission a report of the
5 accident, within seventy-two hours, containing information
6 as the commission may require. ~~For all~~ All other accidents
7 ~~resulting in injury or death or property damage amounting~~
8 ~~to one thousand dollars or more, the operator shall forward~~
9 ~~a written report to the department of transportation within~~
10 ~~seventy-two hours, unless the accident is investigated by a law~~
11 ~~enforcement agency as provided in~~ shall be reported as required
12 under section 321.266.

13 Sec. 19. Section 322C.3, Code 2011, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 10. A person who has been convicted of
16 a fraudulent practice, has been convicted of three or more
17 violations of section 321.92, subsection 2, or section 321.99,
18 or has been convicted of any other indictable offense in
19 connection with selling or other activity relating to vehicles,
20 in this state or any other state, shall not for a period of five
21 years from the date of conviction be an owner, salesperson,
22 employee, officer of a corporation, or representative of a
23 licensed travel trailer dealer or represent themselves as an
24 owner, salesperson, employee, officer of a corporation, or
25 representative of a licensed travel trailer dealer.

26 Sec. 20. Section 325A.4, subsection 1, paragraph e, Code
27 2011, is amended by striking the paragraph.

28 Sec. 21. Section 325A.21, Code 2011, is amended to read as
29 follows:

30 **325A.21** ~~Transferability of regular-route~~ Regular-route
31 certificate nontransferable.

32 A regular-route passenger certificate shall not be sold,
33 transferred, leased, or assigned ~~without the approval of the~~
34 ~~department. The department shall approve the sale, transfer,~~
35 ~~lease, or assignment if the person obtaining or seeking to~~

1 ~~obtain ownership or control of a certificate is found to be~~
2 ~~fit, willing, and able to perform the service proposed. In~~
3 ~~determining the fitness of the person seeking transfer of the~~
4 ~~certificate, the department shall consider only the person's~~
5 ~~compliance with safety, financial fitness, and insurance~~
6 ~~requirements.~~

7 Sec. 22. Section 327B.1, Code 2011, is amended to read as
8 follows:

9 **327B.1 Authority secured and registered.**

10 1. ~~a.~~ It is unlawful for a carrier to perform an interstate
11 transportation service for compensation upon the highways of
12 this state without first registering the authority obtained
13 from the United States department of transportation or evidence
14 that such authority is not required with the state department
15 of transportation.

16 ~~b.~~ 2. The department shall participate in the ~~single state~~
17 ~~insurance registration program~~ unified carrier registration
18 plan and agreement for regulated motor carriers as provided
19 in 49 U.S.C. § ~~14504~~ 14504a and United States department of
20 transportation regulations.

21 ~~c.~~ ~~Registration for carriers transporting commodities exempt~~
22 ~~from United States department of transportation regulation~~
23 ~~shall be granted without hearing upon application and payment~~
24 ~~of a twenty-five-dollar filing fee and an annual one-dollar fee~~
25 ~~per vehicle.~~

26 ~~d.~~ The state department of transportation may execute
27 reciprocity agreements with authorized representatives of any
28 state exempting nonresidents from payment of fees as set forth
29 in this chapter. The state department of transportation shall
30 adopt rules pursuant to chapter 17A for the identification of
31 vehicles operated under reciprocity agreements.

32 ~~e.~~ Fees may be subject to reduction or proration pursuant
33 to sections 326.5 and 326.32.

34 2. ~~a.~~ On and after the date on which the secretary of the
35 United States department of transportation establishes the

1 ~~unified carrier registration system in accordance with Title~~
2 ~~49, United States Code, as amended by Pub. L. No. 109-59,~~

3 3. As provided in 49 U.S.C. § 14504a, a foreign or domestic
4 motor carrier, motor private carrier, leasing company, broker,
5 or freight forwarder shall not operate any motor vehicle on
6 the highways of this state without first registering the motor
7 vehicle under the unified carrier registration system agreement
8 and paying all required fees.

9 ~~b. The state department of transportation shall continue~~
10 ~~to require each interstate for-hire motor carrier to make an~~
11 ~~annual payment of one dollar per owned and operated vehicle for~~
12 ~~filings made with the state department of transportation under~~
13 ~~the single state registration system until the occurrence of~~
14 ~~the transition termination date in accordance with 49 U.S.C.~~
15 ~~§ 13902(f), as amended by Pub. L. No. 109-59.~~

16 ~~c. The state department of transportation may participate in~~
17 ~~the unified carrier registration plan and agreement established~~
18 ~~in accordance with 49 U.S.C. § 14504a, as amended by Pub.~~
19 ~~L. No. 109-59, and to file on behalf of the state the plan~~
20 ~~required by the provisions of 49 U.S.C. § 14504a(e).~~

21 3. ~~A motor carrier shall keep proper evidence of interstate~~
22 ~~authority in the motor vehicle being operated by the motor~~
23 ~~carrier and the motor carrier owner or driver shall make such~~
24 ~~evidence available to a peace officer upon request.~~

25 4. ~~A motor carrier owner or driver charged with failure~~
26 ~~to have proper evidence of interstate authority shall not be~~
27 ~~convicted of such violation and the citation shall be dismissed~~
28 ~~by the court if the person produces to the clerk of court prior~~
29 ~~to the date of such person's court appearance as indicated on~~
30 ~~the citation, proof of interstate authority issued to that~~
31 ~~person and valid at the time the person was charged with the~~
32 ~~violation under this section. Upon dismissal, the court or~~
33 ~~clerk of court shall assess the costs of the action against the~~
34 ~~defendant named on the citation.~~

35 Sec. 23. Section 327B.2, Code 2011, is amended to read as

1 follows:

2 **327B.2 Enforcement.**

3 The ~~state~~ department of transportation may designate by
4 resolution certain of its employees upon each of whom there
5 is hereby conferred the authority of a peace officer to make
6 arrests for violations of laws relating to ~~the registration of~~
7 ~~a motor carrier's interstate transportation service with the~~
8 ~~state department of transportation~~ registering a motor vehicle
9 under the unified carrier registration agreement.

10 Sec. 24. Section 805.8A, subsection 13, paragraph f, Code
11 2011, is amended by striking the paragraph and inserting in
12 lieu thereof the following:

13 *f.* For violations of section 327B.1, subsection 1 or 2, the
14 scheduled fine is two hundred fifty dollars.

15 Sec. 25. Section 805.8A, subsection 13, paragraph g, Code
16 2011, is amended by striking the paragraph.

17 Sec. 26. Section 901.5, subsection 10, Code 2011, is amended
18 to read as follows:

19 10. a. In addition to any sentence imposed pursuant to
20 chapter 902 or 903, the court shall order the ~~state~~ department
21 of transportation to revoke the defendant's driver's license or
22 motor vehicle operating privilege for a period of one hundred
23 eighty days, or to delay the issuance of a driver's license
24 for one hundred eighty days after the person is first eligible
25 if the defendant has not been issued a driver's license, and
26 shall send a copy of the order in addition to the notice of
27 conviction required under section 124.412, 126.26, or 453B.16,
28 to the ~~state~~ department of transportation, if the defendant is
29 being sentenced for any of the following offenses:

30 ~~a.~~ (1) A controlled substance offense under section
31 124.401, 124.401A, 124.402, or 124.403.

32 ~~b.~~ (2) A drug or drug-related offense under section 126.3.

33 ~~c.~~ (3) A controlled substance tax offense under chapter
34 453B.

35 b. If the person's operating privileges are suspended or

1 revoked at the time of sentencing, the order shall provide that
2 the one hundred eighty-day revocation period shall not begin
3 until all other suspensions or revocations have terminated.
4 ~~Any order under this section shall also provide that the~~
5 ~~department shall not issue a temporary restricted license to~~
6 ~~the defendant during the revocation period, without further~~
7 ~~order by the court.~~

8 DIVISION II

9 TRANSIT REPORT

10 Sec. 27. Section 324A.4, subsection 2, Code 2011, is amended
11 to read as follows:

12 2. a. Upon request, the department shall provide assistance
13 to political subdivisions, state agencies, and organizations
14 affected by this chapter for federal aid applications for urban
15 and rural transit system program aid. The department, in
16 cooperation with the regional planning agencies, shall maintain
17 current information reflecting the amount of federal, state,
18 and local aid received by the public and private nonprofit
19 organizations providing public transit services and the purpose
20 for which the aid is received. The department shall annually
21 biennially prepare a report to be submitted to the general
22 ~~assembly, the department of management, and to the governor,~~
23 ~~prior to February 1 of each year, stating the receipts and~~
24 ~~disbursements made during the preceding fiscal year and the~~
25 ~~adequacy of programs financed by federal, state, local, and~~
26 ~~private aid in the state. The department shall analyze the~~
27 ~~programs financed and~~ December 15 of even-numbered years.
28 The report shall recommend methods of avoiding duplication
29 and increasing the efficacy of programs financed to increase
30 transportation coordination and improve the efficiency of
31 federal, state, and local government programs used to finance
32 public transit services and may address other topics as
33 appropriate. The department ~~shall receive comments from the~~
34 ~~department of human services, the department on aging, and~~
35 the officers and agents of the other affected state and local

1 government units ~~relative to the department's analysis~~ shall
2 provide input as requested by the department.

3 b. The department shall use the following criteria to adopt
4 rules to determine compliance with and exceptions to subsection
5 1:

6 (1) Elimination of duplicative and inefficient
7 administrative costs, policies, and management.

8 (2) Utilization of resources for transportation services
9 effectively and efficiently.

10 (3) Elimination of duplicative and inefficient
11 transportation services.

12 (4) Development of transportation services which meet the
13 needs of the general public and insure services adequate to the
14 needs of transportation disadvantaged persons.

15 (5) Protection of the rights of private enterprise public
16 transit providers.

17 (6) Coordination of planning for transportation services at
18 the urban and regional level by all agencies or organizations
19 receiving public funds that are purchasing or providing
20 transportation services.

21 (7) Management of equipment and facilities purchased with
22 public funds so that efficient and routine maintenance and
23 replacement is accomplished.

24 (8) Training of transit management, drivers, and
25 maintenance personnel to provide safe, efficient, and
26 economical transportation services.

27 ~~b.~~ c. Eligibility to receive or expend federal, state,
28 or local funds for transportation services by all agencies or
29 organizations purchasing or providing these services shall be
30 contingent upon compliance with these criteria as determined
31 by the department.

32 EXPLANATION

33 This bill contains provisions relating to the regulation of
34 motor vehicles and the coordination of public transit funding
35 programs by the department of transportation.

1 DIVISION I — MOTOR VEHICLES. The definition of
2 "conviction" in Code section 321.1 is amended, for purposes
3 of Code chapter 321, to include a plea of guilty or nolo
4 contendere accepted by the court.

5 Code section 321.174 is amended to specify that a person
6 commits a simple misdemeanor if the person operates a
7 commercial motor vehicle after the person's commercial driver's
8 license has been downgraded to noncommercial status.

9 Code section 321.178 is amended to provide that the
10 department may suspend a restricted driver's license issued
11 to a person between 16 and 18 years of age if the department
12 receives satisfactory evidence that the licensee has used an
13 electronic communication or entertainment device while driving.
14 The bill also provides that a citation for such a violation
15 shall be issued under Code section 321.178 and not Code section
16 321.193, relating to license restrictions in general.

17 Code section 321.180B is amended to provide that the
18 department may suspend an instruction permit, an intermediate
19 driver's license, or a full driver's license of a person
20 under 21 years of age if the department receives satisfactory
21 evidence that the person violated the restrictions of their
22 instruction permit or intermediate driver's license, including
23 the restriction against use of an electronic communication or
24 entertainment device while driving. The bill also provides
25 that a citation for such a violation shall be issued under Code
26 section 321.180B and not Code section 321.193, relating to
27 license restrictions in general.

28 Code section 321.186A is amended to allow an applicant for a
29 commercial driver's license to submit a vision report signed by
30 a licensed vision specialist in lieu of taking a vision test
31 administered by the department. This is current practice for
32 applicants for a noncommercial license.

33 Code section 321.188 is amended, and Code section 321.207 is
34 created, to require an applicant to provide self-certification
35 of type of driving and a medical examiner's certificate

1 before the department issues, renews, or upgrades the person's
2 commercial driver's license. The department's notification
3 to the national commercial driver's license information
4 system of the issuance, renewal, or upgrade of a license shall
5 include the driver's self-certification and medical examiner's
6 certificate. The department is required to establish rules for
7 downgrading a commercial driver's license to noncommercial for
8 failure to provide self-certification of type of driving or a
9 medical examiner's certificate.

10 Code section 321.194 is amended to provide that the
11 department may suspend a special minor's driver's license,
12 which is issued to a person between 14 and 18 years of age
13 for travel to and from school if the department receives
14 satisfactory evidence that the person violated the restrictions
15 of the special minor's license, including the restriction
16 against use of an electronic communication or entertainment
17 device while driving. The bill also provides that a citation
18 for such a violation shall be issued under Code section 321.194
19 and not Code section 321.193, relating to license restrictions
20 in general.

21 Code section 321.376 is amended to specify that a mechanic,
22 delivery driver, or other person operating an empty school
23 bus for purposes other than the transportation of passengers
24 is not considered a "school bus driver" for purposes of Code
25 sections 321.375 and 321.376, which establish special physical
26 and instructional requirements for school bus drivers. A
27 commercial driver's license valid for the vehicle operated,
28 including a passenger endorsement, is required for operation
29 of an empty school bus, but a school bus endorsement is not
30 required.

31 Code section 321A.5 is amended to increase the property
32 damage threshold amount triggering special financial
33 responsibility requirements following a motor vehicle accident
34 from \$1,000 to \$1,500. In addition, Code sections 321G.10 and
35 321I.11 are amended to raise the property damage threshold

1 amount triggering accident reporting requirements for accidents
2 involving snowmobile and all-terrain vehicles from \$1,000 to
3 \$1,500. In 2010, motor vehicle accident reporting requirements
4 were revised to require an accident report to be made following
5 any motor vehicle accident resulting in property damage of
6 \$1,500 or more.

7 Code section 321A.17 is amended to provide that a
8 person applying for a driver's license following a period
9 of suspension is not required to meet proof of financial
10 responsibility requirements if the person was issued a special
11 minor's license under Code section 321.178 and the suspension
12 was for a violation of the restrictions applicable to that
13 license. Similar provisions currently apply for licenses and
14 permits issued under the graduated driver licensing program
15 in Code section 321.180B and for restricted licenses issued
16 to persons between 16 and 18 years of age under Code section
17 321.194.

18 Code section 322C.3 is amended to provide that conviction of
19 a fraudulent practice; conviction of three or more violations
20 of Code section 321.92, subsection 2, relating to vehicles
21 without identification numbers, or Code section 321.99,
22 relating to fraudulent use of a vehicle registration card,
23 plate, or permit; or conviction of any other indictable
24 offense in connection with selling or other activity relating
25 to vehicles, in this state or any other state, disqualifies
26 a person from acting as or representing themselves as an
27 owner, salesperson, employee, officer of a corporation, or
28 representative of a licensed travel trailer dealer for five
29 years from the date of conviction.

30 Code sections 325A.4 and 325A.21 are amended to eliminate
31 provisions allowing for the transfer of a regular-route
32 passenger certificate.

33 Code sections 327B.1 and 327B.2 are amended by striking
34 obsolete provisions relating to the registration of interstate
35 carriers under the single state insurance registration program

1 to reflect that Iowa now participates in the unified carrier
2 registration agreement for regulated motor carriers. The bill
3 strikes the requirement for a motor carrier to carry evidence
4 of interstate authority in the motor vehicle being operated.
5 Currently, the penalty for failure to carry proper evidence of
6 interstate authority or exemption from authority is a scheduled
7 fine of \$250. The bill strikes that provision and replaces
8 it with a \$250 scheduled fine for failure to register and pay
9 required fees under the unified carrier registration system and
10 for failure to register interstate authority or exemption from
11 authority with the state department of transportation. Code
12 section 805.8A is also amended by striking the penalty for
13 failure to have proper carrier identification markings.

14 Code section 901.5 is amended to allow the department of
15 transportation to issue a temporary restricted driver's license
16 without a court order to a defendant whose license has been
17 ordered revoked in cases involving controlled substance-related
18 offenses.

19 DIVISION II — PUBLIC TRANSIT. Under current law, the
20 department of transportation is required to submit an annual
21 report to the general assembly, the department of management,
22 and the governor providing an analysis of transit programs
23 financed by federal, state, local, and private aid and stating
24 the receipts and disbursements for the programs during the
25 preceding fiscal year. The amendment to Code section 324A.4
26 eliminates the detailed financial accounting from the reporting
27 requirement and provides for a biennial rather than annual
28 report to be made to the general assembly and the governor
29 only. In its report, the department is to recommend methods to
30 increase transportation coordination and improve efficiency of
31 government programs used to finance public transit services.